

STUDY

Requested by the SEDE Subcommittee



The Scrutiny of the European Defence Fund by the European Parliament and national parliaments



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ABSTRACT

Since 2016, the European Union has developed a number of new initiatives on security and defence. In particular, the introduction of Permanent Structured Cooperation and the European Defence Fund have been designed to allow the EU to become a more autonomous actor with regard to crisis management, capacity building and protecting Europe and its citizens. Yet the development of these new initiatives raises questions about their overall coherence and the role of parliamentary scrutiny. It is necessary to analyse the role of the European Parliament and national parliaments in relation to the scrutiny of the European Defence Fund. There is a need for recommendations on how parliamentary scrutiny can be enhanced at the EU level in the area of security and defence.

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Abbreviations

AFET	European Parliament Committee on Foreign Affairs
BUDG	European Parliament Committee on Budgets
CARD	Coordinated Annual Review on Defence
CBRN	Chemical, Biological, Radiological and Nuclear
CDM	Capability Development Mechanism
CDP	Capability Development Plan
CFSP	Common Foreign and Security Policy
CFSP-IPC	Interparliamentary Conference on Common Foreign and Security Policy
COD	Ordinary Legislative Procedure
COSAC	Conference of Parliamentary Committees for Union Affairs
CSDP	Common Security and Defence Policy
EDA	European Defence Agency
EDAP	European Defence Action Plan
EDF	European Defence Fund
EDIDP	European Defence Industrial Development Programme
EEAS	European External Action Service
ESS	European Security Strategy
EU	European Union
EUGS	The HR/VP's Global Strategy for the European Union's Foreign and Security Policy (EU Global Strategy)
EUMC	European Union Military Committee
EUMS	European Union Military Staff
HR/VP	High Representative of the Union for Foreign and Security Policy / Vice-President of the European Commission
IMCO	European Parliament Committee on the Internal Market and Consumer Protection
IPEX	EU Interparliamentary Exchange Platform
IPSD	Implementation Plan on Security and Defence
ITRE	European Parliament Committee on Industry, Research and Energy
JCM	Joint Consultation Meeting
LPM	Military Programming Law
MEP	Member of the European Parliament
MFF	Multiannual Financial Framework

MPCC	Military Planning and Conduct Capability
NATO	North Atlantic Treaty Organisation
NIPs	National Implementation Plans
PADR	Preparatory Action on Defence Research
PESCO	Permanent Structured Cooperation
PSC	Political and Security Committee
RPAS	Remotely Piloted Aircraft Systems
SEDE	Sub-Committee on Security and Defence
SMEs	Small and medium-sized enterprises
TEU	Treaty on European Union
TFEU	Treaty on the Functioning of the European Union
UN	United Nations
V4	Visegrad Group

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Executive Summary

European Union security and defence has undergone a 'renaissance' since June 2016. The introduction of initiatives such as the Coordinated Annual Review on Defence, the Military Planning and Conduct Capability, Permanent Structured Cooperation and the European Defence Fund have set the Union on a path towards more coherence and effectiveness in security and defence. In particular, these new initiatives are designed to ensure that the EU can act as an autonomous actor when engaged in crisis management, missions and operations, capacity building for and with partners and when protecting Europe. The Global Strategy for the European Union's Foreign and Security Policy has paved the way for a more effective EU security and defence actor, and the creation of the European Defence Fund by the European Commission is designed to ensure that Europeans spend better and more effectively together in defence research and defence capabilities. In the post-2020 period, the European Defence Fund will utilise EUR 13 billion to unlock the potential of Europe's defence industry and to promote collaborative defence capability programmes.

However, these welcome steps forward in EU security and defence raise questions about parliamentary scrutiny. Given that the European Defence Fund will be given life by an EU Regulation, the European Parliament – as co-legislator - are justifiably interested in studying how the Fund could be scrutinised and whether or not parliaments will be able to engage in debates about defence capability prioritisation. National parliaments also have a growing interest in the Fund because it may have implications for national defence and offer opportunities for their national defence industries, enterprises and research institutions. Analysing how the European Parliament and national parliaments can effectively scrutinise the European Defence Fund is the objective of this study. The study begins by providing an overview of the academic literature and showing how the EU treaties limit the European Parliament's role in EU security and defence. The study then moves on to a specific focus on the proposed Regulation for a European Defence Fund (COM(2018) 476 final). Acknowledging that the EDF Regulation has not been fully agreed to yet, the study nevertheless charts the ways in which parliaments might engage in the evaluation of the Fund and learn from the work already conducted on the Preparatory Action on Defence Research and the forthcoming European Defence Industrial Development Programme. The study also looks at the way each national parliament in the EU has scrutinised the Fund, and it offers an overview of the limitations and gaps observable in national parliamentary scrutiny methods and procedures. The study also comments on the current state of interparliamentary cooperation on the Fund.

Finally, this study also makes concrete recommendations on the ways in which parliamentary scrutiny of the European Defence Fund can be enhanced. First, the study argues that the European Parliament and national parliaments should seek clarity over what role they could specifically play during the evaluation processes of the Fund. The study shows that, as co-legislator for the proposal for a Regulation on the EDF, the European Parliament can potentially provide scrutiny during the evaluation processes of the Fund. Second, the study shows that there are limits to present interparliamentary fora and that they do not allow the European Parliament and national parliaments the most optimal formation in which to mutually scrutinise the European Defence Fund. Third, the study observes that the European Parliament should better manage its skills base moving forward, because, without a concentration of parliamentary expertise, it could be challenging to continuously and effectively monitor and scrutinise developments under the Fund. Finally, the study states that the European Parliament and national parliaments need to move from a focus on levelling information asymmetries to thinking more strategically about what defence capabilities the EU will need in the future. An in-depth study or debate on the future of defence technologies and EU security and defence should initiate a longer reflection process on the European Defence Fund in the European Parliament.

1. Introduction

Since at least December 2013, there has been what can be described as a **'renaissance' in EU security and defence**. Following on from the December 2013 European Council conclusions on security and defence, the June 2016 publication of the EU Global Strategy (EUGS) set out a new level of ambition for the EU and it recognised that security and defence would be a cornerstone of the EU's ambition to become a more effective and autonomous actor in international affairs. Unlike the 2003 European Security Strategy (ESS), the EUGS initiated a more focused strategic reflection on security and defence which resulted in the Implementation Plan on Security and Defence (IPSD) in November 2016. This follow-on plan set out a new level of ambition for the EU, including a need to be **more effective in crisis management, capacity building and protecting Europe and its citizens**. Aside from the introduction of new concepts, however, the EUGS/IPSD also led to the creation of new initiatives such as the Military Planning and Conduct Capability (MPCC) and the Coordinated Annual Review on Defence (CARD). As the Plan made clear, such initiatives are designed to fill gaps in the way the EU conducts certain military operations and lead to greater transparency and synchronisation in defence planning and capability development (Council of the EU, 2016: p. 22 and p. 25)¹.

In addition to the specific initiatives launched by the EUGS/IPSD process, 25 EU Member States agreed to launch Permanent Structured Cooperation (PESCO) in December 2017 using provisions² from the Treaty on European Union (TEU). PESCO represents 'a **crucial political framework for all Member States to improve their respective military assets and defence capabilities** through well-coordinated initiatives and concrete projects based on more binding commitments' (Council of the EU, 2017: p. 3). Since its initiation, the 25 participating Member States have begun the work on adhering to the 20 binding commitments of PESCO and a total of 34 capability projects were initiated throughout 2018. PESCO is designed to lead to closer defence cooperation between Member States and it is subject to an annual assessment by the 'PESCO Secretariat' composed of the EU Military Staff (EUMS)/European External Action Service (EEAS) and the European Defence Agency (EDA). As part of the assessment process, Member States submit National Implementation Plans (NIPs) to the secretariat detailing progress on PESCO projects and national strategies for meeting the binding commitments. PESCO capability priorities are derived from the Capability Development Plan (CDP) (Fiott, 2018a).

Building on the December 2013 Conclusions, which paved the way for EU investments in CSDP-related research, in 2016 the European Commission also contributed to EU security and defence with the creation of a European Defence Fund (EDF). The Fund is designed to **support EU collaboration in defence research and capability development by offering financial incentives** for cooperation. To prepare the ground for the EDF, the EDA and the European Commission initiated a 'pilot project' on defence research with a budget of EUR 1.4 million. Using Article 49 of the Union's Financial Regulation (Regulation No 966/2012), which allows the European Parliament and Council of the EU to propose a limited number of pilot projects deemed of strategic importance for the EU, the European Parliament's sub-Committee on Security and Defence (SEDE) took the initiative to insert the pilot project on CSDP-related research into the 2015 Union Budget and it accordingly earmarked funds to this end (James, 2018: p. 34). Based on the pilot project, the European Commission allocated a further EUR 90 million for a Preparatory Action on Defence Research (PADR) over the period 2017-2019. Again, the European Parliament was instrumental in ensuring that the PADR would be included in the European Commission's priorities. The 2011 'Lisek Report' made clear that the EU should include defence research to stimulate European collaborative research (European

¹ See Action 5 (for the CARD) and Action 7 (for the MPCC) of the Implementation Plan on Security and Defence.

² Articles 42 and 46 and Protocol No. 10.

Parliament, 2011). On capability development, the Commission has dedicated EUR 500 million under the European Defence Industrial Development Programme (EDIDP) for the period 2019-2020. For the period after 2020, the EU is close to agreement on a Regulation for the EDF and a funding line of EUR 13 billion for defence research and capability development under the next Multi-Annual Financial Framework (MFF) (Fiott, 2018b). The EDF has as its legal basis Article 173 of the Treaty on the Functioning of the EU (TFEU), which encourages initiatives that allow for the '**better exploitation of the industrial potential of policies of innovation, research and technological development**' (European Commission, 2018: p. 5).

It is clear, therefore, that the EU has **entered a phase of rapid progress on security and defence**. However, important questions about the governance of these initiatives, the complementarity between them, how they avoid duplication with NATO efforts and whether they will lead to tangible capability outputs or not, are justified. Such questions are particularly salient given the different institutions involved and whether the governance principle at play is either intergovernmental³ or supranational⁴ (or some mixture of the two). For example, the European Commission has an important role in the governance of the EDF, which is mainly supranational in nature, but governance of PESCO occurs in an intergovernmental setting. **Designing an overarching governance structure that can allow for maximum effectiveness and symbiosis between PESCO and the EDF is crucial**, if not challenging. This is particularly the case considering that the European Commission proposes to apply a 'PESCO bonus' to EDF-funded projects that are also taken forward in PESCO – such projects would benefit from a higher funding rate of up to 30 % instead of the 20 % applied to EDF non-PESCO programmes (European Commission, 2018: p. 4). Questions about the coherence of the latest EU security and defence initiatives also involves consideration of the role of the European Parliament and national parliaments, particularly when referring to the EDF (see Figure 1 below for an overview of the lead institutions involved in each EU security and defence initiative).

The idea that national parliaments and the European Parliament should have an increased role in the scrutiny of EU security and defence policy is not new. Following the entry into force of the Treaty of Lisbon in December 2009, the emphasis on increased parliamentary scrutiny of the Common Foreign and Security Policy (CFSP) and the Common Security and Defence Policy (CSDP) has only been amplified. The Treaty created the post of the High Representative of the Union for Foreign and Security Policy / Vice-President of the European Commission (HR/VP) and the EEAS⁵, as well bestowing on the Union legal personality and enhancing the oversight and budgetary powers of the European Parliament. In its annual reporting on CFSP/CSDP, the European Parliament has detailed various methods through which it could '**gain greater powers of scrutiny and accountability over the CSDP**' (European Parliament, 2017: p. 10). As the European Parliament 2018 Annual Report makes clear, 'further European integration [in EU security and defence] should also mean more democratic scrutiny through parliamentary control [...] complemented by joint Interparliamentary meetings between representatives from national parliaments and [Members of the European Parliament]' (European Parliament, 2018: p. 14).

The introduction of the EDF lends weight to the idea that the European Parliament and national parliaments should have a larger role in scrutinising CSDP-related initiatives. The obvious observation here is that the EDF is being funded by the EU budget, which means that the European

³ Intergovernmentalism can be defined as a decision-making method in international organisations that allows states to cooperate in specific fields while retaining their sovereignty (McLean and McMillan, 2009).

⁴ Supranationalism can be defined as a decision-making method where states have agreed to transfer certain elements of sovereignty and decision-making to a central authority that supersedes the state (McLean and McMillan, 2009).

⁵ Owing to its co-decision powers on the budget and staffing of the Service, the European Parliament played a key role in the establishment of the EEAS and on 8 July 2010 it passed a Resolution detailing the Parliament's position on, among other things, EU Delegations and staffing rules (European Parliament, 2010).

Parliament and national parliaments have a stake in scrutinising how EU funds are deployed. In particular, it should be stressed that the European Parliament is the co-legislator for the proposed Regulation on the EDF, giving the body political powers to amend and approve the Regulation. Yet, a conception of how the European Parliament and national parliaments can more effectively scrutinise the EDF leads to further questions. First, there is a need to understand why parliaments want to scrutinise the Fund in the first place. There is a clear need to scrutinise the EDF for the sake of legitimacy and transparency, but is there also an intention to use scrutiny powers to have greater influence over what defence research and defence capabilities are prioritised by the EU? Second, how could scrutiny of the EDF relate to the overall coherence of EU security and defence (i.e. the relationship between the EDF, PESCO, CARD and the CDP) and how could supranational bodies and processes relate to intergovernmental bodies and practices? Third, how might the interests of the European Parliament and national parliaments come together during the scrutiny of the Fund – do both actors share the same interpretation of scrutiny?

Figure 1 – EU defence governance

Initiative	Institution				
	European Parliament	European Commission	HR/VP (EEAS)	Council of the EU	European Defence Agency
European Defence Fund	X	X	X		
Permanent Structured Cooperation			X	X	X
Capability Development Plan			X	X	X
Coordinated Annual Review on Defence			X	X	X
Capability Development Mechanism			X	X	X

These and other questions are of increasing importance. Not only are the Council of the EU, the European Commission and the European Parliament close to agreement on the proposed Regulation on the EDF, but the **European Parliament elections will be held on 23-26 May 2019**. Following these elections, attention will turn to the formation of the next European Commission and the finalisation of the EU’s MFF. After this point, focus will inevitably turn to capability prioritisation and this will involve a process of identifying specific defence research and capability projects under the EDF. Here, it should not be forgotten that the nature of defence capability development is evolving and now planners must consider a range of disruptive technologies such as autonomous systems, robotics, artificial intelligence, etc. (Fiott and Lindstrom, 2018). Close attention to the development of such technologies by the EU is to be expected, especially given that the Commission has stated that it would pledge 5 % (or EUR 650 million) of the EDF to disruptive technologies. Additionally, work on PESCO continues with the first annual assessment due to be prepared by June 2019. As the EU turns towards new leadership after May 2019, there is added pressure

to ensure that all of the EU security and defence initiatives agreed to since 2016 are coherent and effective. Given the raft of political events and initiatives occurring in 2019, this is an ideal time to appraise how the European Parliament and national parliaments could scrutinise the EDF.

1.1 Objectives of the study

This **study aims to inform current and future discussions about EU security and defence** initiatives such as the EDF, PESCO and the EU's overall military level of ambition. In particular, the study outlines the **possible scope of the European Parliament's and national parliaments' scrutiny of the research and capability aspects of the EDF after the proposed Regulation on the EDF has been agreed**. Here, it should be acknowledged that the final wording and stipulations of the proposed Regulation still need to be agreed by the co-legislators. Therefore, the assumptions in this study are based on the proposed Regulation as initially drafted by the Commission and it does not pre-figure the final Regulation that will be eventually agreed by the Parliament and the Council. To this end, the study addresses the ways in which parliaments in Europe can scrutinise the generation of military requirements stemming from the EDF. Here, the study pays particular attention to the possible effects of greater parliamentary scrutiny over the Fund, especially in terms of how this could affect EU Member States, NATO and EU defence research and capability priorities. The study also considers the extent to which greater scrutiny of the EDF relates to intergovernmental initiatives such as PESCO. Furthermore, the **study will also identify gaps in national parliamentary scrutiny processes** and it will outline the potential of utilising the Treaty of Lisbon's provisions on the Interparliamentary Conference on Common Foreign and Security Policy (CFSP-IPC).

This study is primarily based on desk research and it draws on primary and secondary sources such as EU official documents, national parliamentary debates and records and academic literature. The author has also called on the support of analysts based in Europe to provide extra context for some of the individual national parliament entries found in chapter three⁶. The author has translated key documents and debates with the support of computer-based translation tools. Beyond this introduction, the study is divided into three main parts. Chapter one provides a definition of the term 'parliamentary scrutiny' and it examines the academic literature as it pertains to the role of the European Parliament and national parliaments in CSDP-related affairs. Chapter two considers the methods through which the European Parliament and national parliaments exercise scrutiny over CSDP-related issues and it specifically focuses on the scrutiny process in relation to the EDF. Chapter three looks at how national parliaments have thus far scrutinised the EDF and it reflects upon possible gaps in the scrutiny process and the potential role of the CFSP-IPC. Finally, the study concludes with some overall observations and it makes specific recommendations.

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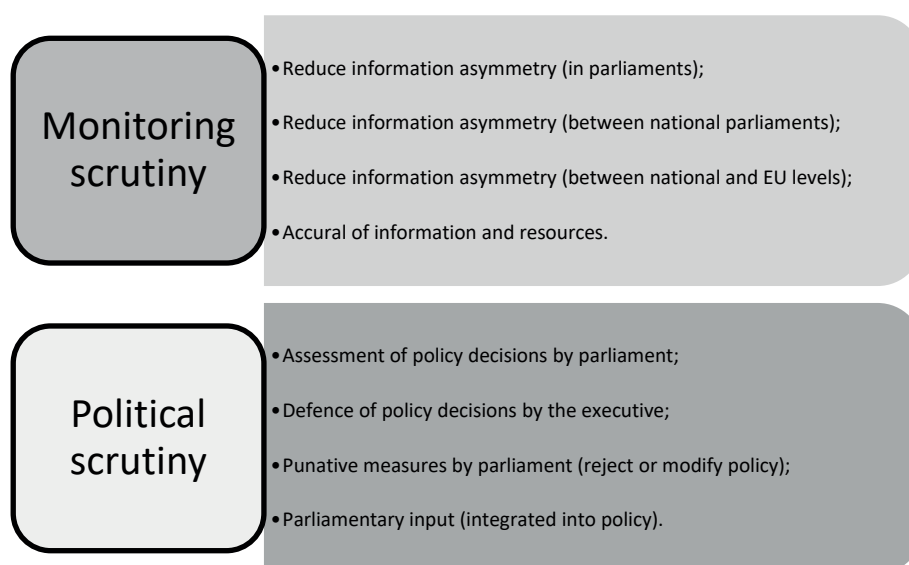
2. Parliamentary scrutiny

2.1 Understanding parliamentary scrutiny

To begin the analysis, it is first necessary to define the term ‘parliamentary scrutiny’. Parliaments are a vital component of a functioning democratic polity, and the fair and free election of members of parliament is a **prerequisite for holding executive bodies accountable for decision-making and the implementation of those decisions**. Accountability requires adherence to at least two main principles. First, that the executive is able to justify its policy decisions and policy implementation strategies. Second, that a parliament has the knowledge base and resources to scrutinise policy decisions. Here, it is assumed that the executive provides enough information to parliaments in order to allow for informed scrutiny to take place (Auel, 2007: p. 500; Holzhaecker, 2008; Wouters and Raube, 2012: p. 151).

Adherence to these principles necessitates adequate parliamentary structures. In most parliaments, scrutiny largely takes place either in **plenary sittings of parliament or in specialised committees** or working groups. The role of committees is particularly important here. Indeed, it is not always possible to debate the intricacies of each policy decision and law in plenary sessions, not least because plenary gatherings are an important time to make political points and to scrutinise the executive on the most pressing and politically salient points of the day. Instead, parliaments rely on specialised committees for the oversight and development of policy and law (McKay and Johnson, 2010: pp. 309-310). Drawing on cross-national comparisons of how national parliaments have interacted with EU policy making from 1958 to 2010, Winzen shows that, since at least the 1990s, most parliaments have established European Affairs Committees and this has gone hand-in-hand with greater access to EU documents (2012: p. 668).

Figure 2 – Parliamentary scrutiny



However, beyond upholding democratic norms and practices, **parliamentary scrutiny is also designed to ensure that policy decisions and laws have greater legitimacy**. Parliamentary scrutiny can, of course, lead to punitive measures being taken, including a decision by the parliament not to ratify a particular executive decision. Additionally, parliamentary scrutiny can lead to the reformulation of decisions and/or laws. Finally, parliamentary scrutiny can also ensure that the expertise and will of the parliament is accommodated in executive decisions and/or laws. Therefore, the ‘[s]trengths and weaknesses of national

parliaments in EU affairs are generally measured with regard to the scope, timing, management and impact of parliamentary scrutiny of EU affairs' (Auel, 2007: p. 487).

Nevertheless, it is possible to look beyond this more formalistic interpretation of parliament scrutiny. For some scholars, defining parliamentary scrutiny as simply the oversight of the executive is too restrictive and not a complete reflection of the empirical realities of parliamentary action. Instead, Auel (2007) forwards an interesting distinction between two forms of scrutiny: **monitoring scrutiny** and **political scrutiny** (see Figure 2 above). On the one hand, monitoring scrutiny can be described as a demand for information in order to reduce the information asymmetry between national parliaments and between the national and European parliamentary levels. On the other hand, political scrutiny relates to an interrogation or assessment of policy decisions by parliamentarians and it assumes that executive bodies will defend their policies and/or decisions (Auel, 2007: pp. 500-501).

2.2 Parliamentary scrutiny of the CSDP

As a preliminary observation, **it is important to note that the European Parliament's ability to scrutinise CSDP-related matters is still limited**. Not only do the treaties circumscribe the European Parliament's role in CSDP-related issues, but also EU Member States are not interested in redistributing powers and influence away from the Council of the EU in favour of the Parliament (Koenig-Archibugi, 2002; Dyson and Konstadinides, 2013; Trybus, 2015). A reappraisal of these limitations, however, is required in light of the establishment of the EDF (see chapter three). As will be outlined, numerous studies make the case for greater parliamentary scrutiny of the CSDP, even if others point to the technical limitations to furthering scrutiny powers. Greater parliamentary scrutiny is seen as a way to enhance transparency and information access in the EU, especially given that EU decision-making is often viewed as opaque. Demands on the executive for greater access to information are made in an 'attempt to introduce open government and more transparency into European policy-making' (Héritier, 2003: p. 821).

Most of the analysis has focused on enhancing the European Parliament's democratic control of armed forces at the EU level (e.g. Bono, 2005; Wagner, 2006; Sjursen, 2011). What such studies share in common is a recognition that with the greater Europeanisation of CSDP, there is a need to **ensure democratic control over the policy direction and how resources are allocated to the policy** (Wagner, 2006; Lord, 2011). More specifically on capability development, Lord (2011) has argued that the lack of precise information surrounding key decisions in EU security and defence necessitates greater democratic scrutiny. As he states, '[l]ong-term collaboration in the development of security capabilities may require large but precarious guesses about the future. Thus, both short- and long-term considerations seem to limit the rationality and intentionality of decisions' (Lord, 2011: p. 1133). Lord argues that the path dependencies taken by EU Member States – willingly or unwillingly – in EU security and defence have an impact on the type of actor the EU could/could not become and this outcome needs democratic legitimacy. As he remarks, '[d]ecisions which lead to path-dependence do not so much re-allocate values as pre-empt the value choices that can be made by democratically accountable representatives of future citizens' (Lord, 2011: p. 1137). In other words, any decision that relates to joint procurement and collaborative capability development may require democratic oversight in order to influence, reject or support the type of political outcomes that would emerge from these decisions being taken.

Calls for greater parliamentary scrutiny of CSDP hinge on the assumption that the intergovernmental nature of CSDP results in a lack of democratic legitimacy. While it is true that the EU treaties still limit the role of the European Parliament (see chapter three), one corrective to the view that the European Parliament is limited in the area of CSDP rests on the assumption that **there is not such an automatic division between intergovernmentalism and supranationalism** (Sjursen, 2011). Indeed, it is claimed that 'simply investigating the powers of the [European Parliament] does not tell us much about the status

of democracy in the CFSP' and CSDP (Sjursen, 2011: p. 1080). As Sjursen goes on to argue, CFSP/CSDP decision-making is not purely intergovernmental because governments delegate authority to supranational institutions such as the European Commission,, supranational institutions such as the European Parliament are involved in policy formulation and citizens and civil society in EU Member States do not directly hold accountable CFSP/CSDP decisions. In essence, Sjursen pushes back against the notion that democratic legitimacy is solely to be located in the Council of the EU under the authority of elected governments.

Other studies focus less on legitimacy and more on an effective mechanism of enhancing parliamentary scrutiny within the boundaries of the EU treaties. For example, Wouters and Raube (2012) state that the **parliamentary scrutiny of CSDP-related policies can only be achieved through a partnership between the European Parliament and national parliaments** (Wouters and Raube, 2012). Here, it is observed that 'democratic accountability of a multi-level and multi-layered CSDP cannot be achieved by individual parliaments or by the European Parliament alone' (Wouters and Raube, 2012: p. 149). To this end, these same authors argue that interparliamentary cooperation is the one way to improve parliamentary scrutiny of CSDP-related issues (see also Haroche, 2018). This suggestion is, however, complicated because national parliaments and the European Parliament do not agree on what is the best method for cooperation beyond dialogue (Wouters and Raube, 2012: p. 162).

Huff (2015) is less certain that enhanced formal parliamentary scrutiny of CSDP-related issues will automatically lead to the effective scrutiny of policy decisions. Instead, she states that 'when evaluating the relative 'strength' or 'weakness' of parliamentary scrutiny [...] it is critical to judge parliaments not only in relation to one another, but in relation to their own, individual approach to parliamentary oversight' (2015: p. 411). Huff goes on to claim that parliamentary **scrutiny of CSDP-related matters remain 'ad hoc, non-automatic and non-systematic'** and therefore if parliamentarians do not 'make use of their authority and ability; if they remain uninterested in doing so, then scrutiny either does not happen at all [...] or is largely a matter of going through the motions' (Huff, 2015: pp. 411-412). Other scholars have recognised this dynamic too. As Bono (2005) makes clear, national parliaments and parliamentarians have played an inconsistent role in scrutinising CSDP. Following her empirical investigation of national parliamentarians, Bono concludes that while some parliaments in the EU Member States were keen to scrutinise CSDP others did not appear so keen. However, even when they did it was usually too late in the day – sometimes days before a crucial political decision such as launching a CSDP mission or operation) (Bono, 2005).

As can be seen from this overview of the academic literature, there are a number of main lines of inquiry that should be followed in order to understand what role the European Parliament and national parliaments can play in scrutinising the EDF. These lines of inquiry, which will be addressed in the following chapters, include:

- 1) What are the legal limits of the European Parliament's role in CSDP?
- 2) How does parliamentary scrutiny feature in the relationship between intergovernmentalism and supranationalism?
- 3) What is the best way for the European Parliament and national parliaments to connect for more effective forms of parliamentary scrutiny?

3. Limits and possibilities of parliamentary scrutiny

Parliamentary scrutiny in the EU exists on two, interconnected, levels. First, one can look at the formal powers of the European Parliament such as the role it plays in the Ordinary Legislative Procedure (COD). Second, one can analyse the role of national parliaments. It is possible to study how these two levels interact ('interparliamentary interaction') as well, especially with regard to the EDF. This chapter will engage with the linkages between the European Parliament and national parliaments and the implications that such connections have for parliamentary scrutiny of the EDF. In doing so, the chapter looks at the legal limitations of the European Parliament's role in scrutinising CSDP-related issues and it analyses how the Parliament's position is evolving and could develop in light of the EDF.

3.1 Treaty provisions and the proposed EDF Regulation

Since the Treaty of Lisbon, **the European Parliament has seen its oversight of certain aspects of CFSP increase**. This has occurred through the introduction of twice-yearly debates on the CFSP and CSDP (Article 36 TEU), to which the HR/VP attends. Indeed, Article 36 TEU invites the HR/VP to 'regularly consult the European Parliament on the main aspects and basic choices of' the CFSP/CSDP. Furthermore, Joint Consultation Meetings (JCMs) allow MEPs to debate with ambassadors from the Political and Security Committee (PSC), the EEAS and the European Commission on planned and ongoing civilian CSDP missions (Troszczyńska-Van Genderen, 2015: p. 8). In this regard, it is also possible for the European Parliament to have special access to confidential information pertaining to the CFSP and civilian CSDP missions. Finally, and perhaps most importantly, the European Parliament has oversight authority with regard to the CFSP aspects of the EU budget, which means that it has a role in setting the direction of CFSP in partnership with the Commission and the Council (Troszczyńska-Van Genderen, 2015: pp. 8-9). The Parliament, therefore, has scrutiny powers over civilian CSDP missions because they are financed by the EU budget.

However, **the scrutiny authority of the European Parliament is generally limited in the areas of CSDP** (see Figure 3 below). Article 24.1 TEU sets out that the European Parliament will have a limited role in CSDP by only referring to the role of the European Council, Council of the EU and the HR/VP. Only in rare cases do the treaties allow for European Parliament involvement, and even this involvement is limited to monitoring scrutiny rather than political scrutiny. For example, the TFEU stipulates that in the case of the 'solidarity clause' being triggered, the Council should act and the European Parliament should be informed of its effect (Article 222.3 TFEU). This does not foresee the European Parliament undertaking political scrutiny. When it comes to the CSDP, the treaties are categorical that it is an intergovernmental area governed by the European Council and the Council of the EU, with the support of the HR/VP (see Articles 42 to 46 TEU). As Dyson and Konstadinides note, following agreement on the Treaty of Lisbon the 'CSDP retains its intergovernmental nature, since decisions in the field come under the unanimity rule' (2013: p. 66; see also Trybus, 2005 and 2014).

Indeed, the 2018 **introduction of PESCO⁷ did not do much to alter the Council's predominant position in formulating the direction of CSDP**. Even though the European Parliament welcomed the PESCO notification of November 2017 (European Parliament, 2017), the governance structures designed to administer PESCO (the so-called 'PESCO Secretariat') rely on the HR/VP, the EEAS (especially the EUMS) and the Council of the EU (especially the EDA). Indeed, Articles 4.1 and 6.1 of Council Decision (CFSP) 2017/2315 on PESCO makes clear that permanent structured cooperation is 'to be organised at the level of the Council' within the intergovernmental framework of Article 46.6 TEU – this is despite the fact that PESCO is agreed to using QMV. Perhaps the only area where the European Parliament can exert some degree of scrutiny

⁷ Established on the basis of Articles 42.6 and 46 TEU in Protocol 10.

over PESCO is via the HR/VP, particularly when she reports to the Parliament on CFSP/CSDP decisions on a biannual basis. In this respect, the annual PESCO report that the HR/VP must present to the Council (see Article 6.3 of Council Decision 2017/2315) could provide basic elements for a debate between the European Parliament and the HR/VP during their biannual meetings - albeit without full disclosure of the PESCO annual report.

Figure 3 – CSDP and EU institutions

CSDP Instruments	Council of the EU	HR/VP	EEAS	EDA	European Commission	European Parliament
Military missions and operations	X	X	X			
Civilian missions	X	X	X			X
European Defence Fund		X			X	X
Permanent Structured Cooperation	X	X	X	X		
Coordinated Annual Review on Defence	X	X		X		
Capability Development Plan	X	X	X	X		

Despite the clear intergovernmental demarcation of many EU security and defence initiatives, the **proposed Regulation on the European Defence Fund opens the door to an enhanced legislative role for the European Parliament and national parliaments.** In essence, the European Commission has decided to launch the EDF in the form of an EU Regulation so as to ensure that the provisions of the regulation have direct effect across the EU and this means that the European Parliament and the Council of the EU serve as a co-legislators. Given that the proposed Regulation follows the COD, the European Parliament is a co-legislator and this means that it not only has the right to amend the proposal but that it has a deciding vote on the final proposal, as agreed with the Council. Of course, as it stands there is only a partial political agreement on the EDF and there is still a need for the formal approval by the European Parliament and the Council. Without the direct effect of the Regulation, it would be challenging to ensure some of the objectives of the Fund, including moving towards an integrated European defence market.

Here, one must be precise about the role which the European Parliament and national parliaments could potentially play, especially after the European Parliament and Council have finally agreed to the Regulation following the COD. First of all, under the proposed Regulation the Commission spells out the Fund’s governance (‘the Committee’) structure (see Article 28). As specified in the proposed Regulation by the European Commission there does not appear to be a clear role for the European Parliament and/or national parliaments. While acknowledging that the approved Regulation may change this situation, the Committee mentioned in the Commission’s proposed Regulation is designed to assist the Commission in establishing the work programmes. The Commission foresees a strong role for the Member States and the EDA will have observer status in the Committee. The EEAS will be present on the Committee too. As yet, **no parliament is specifically referred to under Article 28 of the proposed Regulation.**

However, within the Commission’s proposal **there is scope for parliaments to potentially play a role in the evaluation of EDF projects.** Article 32.3 states that the Commission will have to undertake an evaluation of the EDF projects and whether or not the actions taken under the Fund meet the EU’s objectives on defence research and capability development. The evaluation process of the EDF will end on 31 December 2027 and the Commission is obliged to conduct the evaluation before this period or no later than four years after this deadline. The evaluation of the EDF will come in the form of a report that

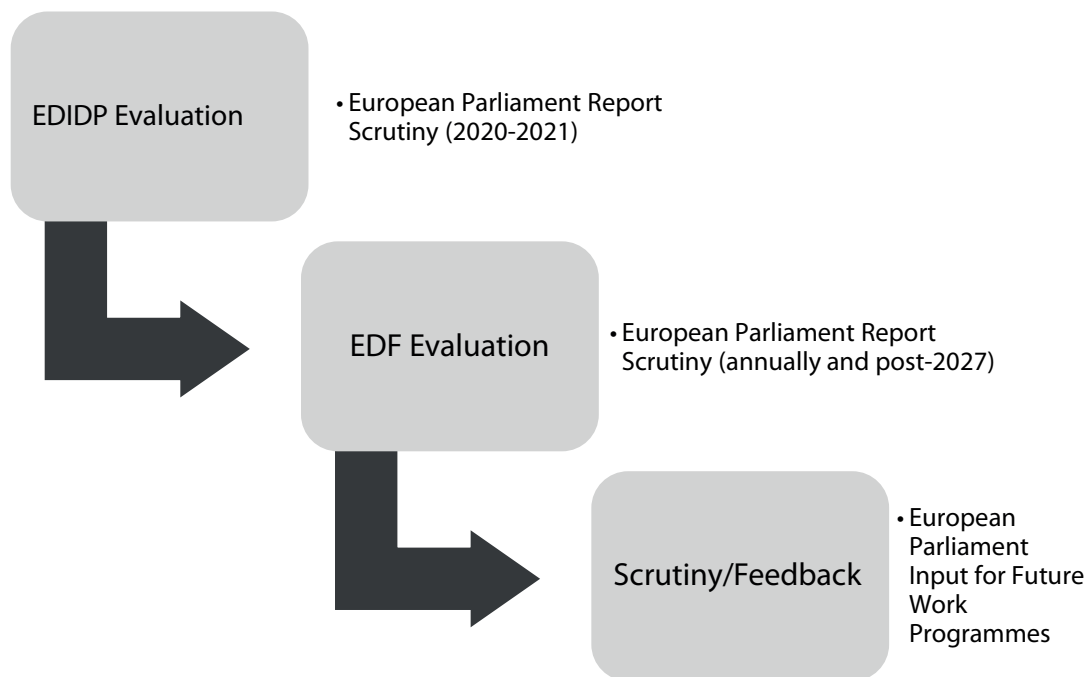
will include key findings and input following 'relevant consultations of Member States and associated countries and *key stakeholders* [emphasis added]'. Although Article 32.3 does not specifically refer to the European Parliament or national parliaments, **Article 32.4 stipulates that the European Parliament should be informed about the evaluation of the Fund**. It can therefore be reasonably argued that parliaments should be classed as a 'key stakeholder'. There is precedent for this too. Indeed, European and national parliamentarians were part of the 'Group of Personalities' assembled by European Commissioner Elżbieta Bieńkowska to publish a report on European defence research (EU Institute for Security Studies, 2016).

On this basis, parliaments should plan for the ways in which they could approach the overall evaluation process outlined by the European Commission. Essentially, **it would mean that parliamentarians could scrutinise the Fund at the end of the programme** but this would obviously raise questions about the degree of scrutiny possible at the outset of the programme and during the six year period from 2021 to 2027. Article 31 of the proposed Regulation the European Commission also states that it **will undertake annual reporting on the progress of the Fund** and Article 31.3 stipulates that 'the Commission shall put in place necessary monitoring arrangements' (European Commission, 2018). The wording in Article 31.3 is purposefully vague in order to give the Commission the room it needs for manoeuvre when establishing an effective monitoring and evaluation process. Depending on the final approved Regulation by the Parliament and Council, this also means that **the European Parliament and national parliaments should plan for how they could conceivably inform the annual reporting process**. Thought could be given to what the most suitable forum for this annual reporting could be (i.e. a formal presentation to the relevant committees in the European Parliament). This would imply that the European Parliament has some idea of what defence capabilities would be best to develop in the EU's interests.

Therefore, if one reads the Commission's proposed Regulation there is scope for parliaments to undertake a monitoring scrutiny role of the EDF. Nevertheless, there could be limits to how far parliaments can assist in the identification of defence capability priorities at the initial stages of the EU's defence capability planning process. The proposed Regulation makes clear that the Commission intends to maintain 'close links between the Fund and projects implemented in the framework of' PESCO (European Commission, 2018: p. 4). Furthermore, the Commission states that the 'Fund will take account of the EU capability development plan' when identifying the defence capability priorities (*ibid.*). While the Commission appears to want to maintain some flexibility for when it determines capability priorities under the EDF (e.g. it also points to prioritisation under NATO or through groupings of EU Member States), **basing EDF priorities exclusively on the PESCO methodology and the CDP implies an intergovernmental method of capability prioritisation**. As it stands, parliaments have no formal role in defence capability prioritisation in PESCO or the CDP – here, the EDA plays the lead role in coordination with the Council and the EEAS. This is an important consideration because CDP sits at the initial stages of the EU's capability prioritisation process. Introducing parliamentary scrutiny at the earliest stages would imply a fundamental overhaul of the EU's capability prioritisation method. This has already been proposed by the European Parliament⁸.

⁸ See, for example, MEP Gahler's report on the CSDP in 2017. He proposes that the EDA be funded from the Union's budget (European Parliament, 2017: p. 12). This would effectively transform the Agency from an intergovernmental agency into a hybrid one that would be open to scrutiny from the European Parliament. On this basis, the European Parliament could arguably play a more prominent role in the CDP process.

Figure 4 – EDF evaluation procedures



Regardless of how the intergovernmental and supranational institutional relationship could evolve on EU security and defence policy in the future, **it is clear that the European Parliament and national parliaments should – dependent, of course, on the exact wording of the final agreed Regulation – plan for ways in which they can play a meaningful role in the evaluation processes and reporting of the EDF.** An obvious observation in this regard relates to the European Parliament’s skills base management. Parliamentary scrutiny of technical issues such as defence research and defence capability programmes is challenging and it implies that parliamentarians have in-depth knowledge of procurement programmes, technology trends and even military strategy. This is not to say that parliamentarians are incapable of such scrutiny⁹, but rather that the European Parliament’s skills base for scrutiny might be spread out over various parliamentary committees. For example, the committee responsible for the EDF Regulation is the Committee for Industry, Research and Energy (ITRE) and the Committees for Foreign Affairs (AFET), Budgets (BUDG) and Internal Market and Consumer Protection (IMCO) have provided their opinion as part of the COD too. This number of committees is symptomatic of the legal basis of the EDF (Article 173 TFEU). A number of Committees have therefore been involved in the process, although it should be noted that the SEDE sub-Committee has not played a formal role in the process – even though it is the committee responsible for security and defence debates on defence capability development. Although the Chair of the SEDE sub-Committee has access to confidential documents on CFSP/CSDP, all amendments and votes on SEDE draft resolutions are done through the AFET Committee which limits the scrutiny powers of the SEDE sub-Committee (Lazarou, 2019: p. 447).

Finally, it should also be stated that the European Parliament and national parliaments are also in a position to be able to **learn from the preparatory work on the EDF, including the PADR and the EDIDP** (see Figure 4 above). Indeed, the Regulation establishing the EDIDP (COM(2017) 0294 final) specifically states that to ‘support greater efficiency and effectiveness of future Union policy actions, the Commission shall

⁹ Indeed, MEPS have a wealth of experience including past positions in industry and government.

draw up a retrospective evaluation report and send it to the European Parliament and to the Council' (see Article 17.2). In particular, the EDIDP evaluation report will show the Parliament and Council how the Programme is meeting its objectives, especially with regard to 'cross border participation of small and medium-sized enterprises (SMEs) in projects implemented under the programme as well as the participation of SMEs to the global value chain' (see Article 17.2). The objectives on SMEs will be particularly important to national parliaments (see the chapter four). The European Parliament can use the EDIDP evaluation report process as a test bed for its scrutiny of the evaluation procedure that will emerge under the EDF.

3.2 COSAC and CFSP-IPC

However, the **role of national parliaments should be analysed in addition to that played by the European Parliament**. First, it is not entirely clear whether national parliaments appreciate the need to scrutinise national governments on CSDP-related issues. As Winzen has shown, 'whereas information access and processing has become increasingly sophisticated, parliaments are still reluctant to develop more forceful means to tie governments to their preferences' (2012: p. 668). Indeed, the academic literature generally notes that it has not been fruitful to focus exclusively on the formal processes of scrutiny available to national parliaments. As Raunio (2009) points out, insufficient attention has been given to how the strategies of political parties and individual members of parliament view EU policy and decision-making processes. This is important because **national parliamentarians generally delegate EU-related scrutiny and decision-making to national governments**. This outcome is based on the fact that most parliamentarians 'make a rational calculus, weighing the costs and benefits of various parliamentary activities' before dedicating time and energy to EU policy' (Raunio, 2009: p. 328). This is not helped by the multitude of parliamentary systems that exist in the EU. For example, Holzhaecker (2002) has shown how in countries with coalition governments (such as Germany and the Netherlands), it is not just legal powers and institutional structures that effect how national parliaments interact with EU policy, but party and coalition politics too. The situation is potentially different in countries with majoritarian government systems.

Therefore, **the combination of different national parliamentary systems and a perceived lack of interest in EU policy more generally can contribute to a reduced role for national parliaments and parliamentary scrutiny more generally**. This can have a negative effect on steps to enhance interparliamentary cooperation between national parliaments and the European Parliament. Raunio's overall conclusion is that there has been 'rather low interest shown by national MPs in forging links with the [European Parliament], or in involving Members of the European Parliament in their work' (2009: p. 324). It seems, therefore, that enhancing national parliamentary interest in the work of the European Parliament is a prerequisite to interparliamentary cooperation and scrutiny of EU policy.

On the other hand, **national parliaments could play a much larger role in holding executives in the Council to account and they could work more closely with the European Parliament**. In fact, the European Parliament has recognised the importance of national parliaments in the EU legislative process (European Parliament, 2016). Here, the assumption is that greater involvement by national parliaments in EU decision making could lead to enhanced influence over Member State governments in the Council (see also Haroche, 2018). As scholars such as Raunio (2011) suggest, national parliaments can serve as the 'gate keepers' between national and EU politics. In many respects, a greater interest by and role for national parliaments may even further legitimise the actions of governments, because, with the support of parliament, bargaining at the EU-level becomes more representative of the EU Member State in question (Finke and Dannwolf, 2013). Indeed, **it is puzzling that national parliaments do not have a greater role in CSDP-related affairs**. National parliaments are vital to the proper functioning of the CFSP/CSDP, not

least because national parliaments ‘vote for defence budgets and authorise the deployment of troops abroad’ and have a duty to citizens to manage appropriately funds that are used to finance initiatives such as the EDF (Caballero-Bourdout, 2011: p. 5).

Accordingly, it is already beneficial that national parliaments can request information on EU policy directly through the electronic Interparliamentary EU Information Exchange (IPEX). Indeed, as far as the EDF is concerned, there has already been extensive exchange of information through the IPEX system. A number of national parliaments have already begun scrutiny proceedings on the Proposal for a Regulation on the EDF (see chapter four). As of February 2019, **IPEX recorded that, of the 28 Member State parliaments¹⁰, 9 had fully completed** the national scrutiny process, **8 were only partially through the process** and **11 had not started** or not reported the scrutiny process (IPEX, 2019). As it will be seen in the next chapter, there is evidence to suggest that national parliaments do not only take a keen interest in the EDF, but that they can also play a political scrutiny role *vis-à-vis* national executives.

Another way in which parliamentary scrutiny can be enhanced at the EU-level is to **increase interparliamentary cooperation between the European Parliament and national parliaments, through either a conference of Parliamentary Committees for Union Affairs (COSAC) or an Interparliamentary Conference for CFSP/CSDP (CFSP-IPC)**. Indeed, the TFEU allows for interparliamentary cooperation under Protocol 1. As Article 9 TFEU states, ‘[t]he European Parliament and national Parliaments shall together determine the organisation and promotion of effective and regular interparliamentary cooperation within the Union’. More specifically, Article 10 of Protocol 1 states that COSAC may stimulate information exchange between parliaments and it ‘may also organise interparliamentary conferences on specific topics, in particular to debate matters of common foreign and security policy, including common security and defence policy’. COSAC has been meeting every six months since 1989 during each Presidency of the Council of the EU and it serves as a consultation body rather than a decision-making entity. Even though Article 10 does not bind national parliaments to the decisions taken by the conference, it is possible for parliaments in Europe to join forces in order to debate issues in CSDP.

Again, while this may mainly amount to a form of monitoring scrutiny, what cannot be discounted is that, with increased information, national parliaments might be better placed to hold the actions of executives accountable with respect to the decisions they make on CSDP and, in particular, on the EDF. As one study put it, the whole point of ‘interparliamentary conferences will above all serve the purpose of providing information, making national parliamentarians more able to scrutinise their own governments with regard to the intergovernmental dimension of the CFSP/CSDP, and allowing the European Parliament to exercise its role in the European institutional framework’ (Caballero-Bourdout, 2011: p. 53). However, based on an analysis of CFSP-IPCs that have been held over successive Presidencies of the Council of the EU, there is scope to ask whether formal events, despite bringing together key EU political actors and national parliamentarians, are the most optimal way for parliaments to scrutinise the EDF – especially on the more technical aspects of the Fund and defence capability development priorities. So far, **neither a COSAC nor a CFSP-IPC has been specifically focused on the European Defence Fund**.

3.3 Summary

This chapter has focused on how parliaments in Europe can enhance their scrutiny of the EDF. To this end, the chapter has surmised that there are still limitations to the role that the European Parliament can play in terms of scrutinising CSDP-related issues. Indeed, it is clear that CSDP is still a predominately intergovernmental area of EU policy and this curtails the room of the European Parliament to scrutinise EU security and defence. Nevertheless, this chapter has also argued that with the introduction of the EDF

¹⁰ Including both lower and upper houses in bicameral systems.

the European Parliament and national parliaments could play an important monitoring scrutiny role during the evaluation phases of the EDF work programme – depending, of course, on the finally approved EDF Regulation by the Parliament and the Council. Parliamentary scrutiny of the EDF's results and the evaluation on whether it achieves EU objectives could be sequenced on an annual basis and at the end of the proposed Regulation time frame in 2027 (and up to four years after this time). Preparations for a parliamentary role during this evaluation period implies that the European Parliament and national parliaments have a coherent strategy for this scrutiny role. In this respect, the chapter has also pointed to the need for greater coherence in the European Parliament's skills base management and it has suggested that existing interparliamentary frameworks such as COSAC and CFSP-IPC could be optimised for the purposes of EDF scrutiny.

4. National parliamentary scrutiny of the EDF

In this chapter, the study focuses on the individual scrutiny procedures of national parliaments in the EU as they relate to the EDF. The chapter moves sequentially and alphabetically through each national parliament. In doing so, the study not only provides an account of the scrutiny status in each parliament but also how each country has viewed the EDF and the opportunities it could create for European defence industries and the broader innovation community. As it will be seen from the analysis in this chapter, national parliaments are organised in different ways (unicameral or bicameral) and various special, joint or select committees are responsible for in-depth scrutiny of policy and legal proposals (more on the specifics of each national parliament can be consulted at Figures 5 and 6 below). To focus the debate in this chapter, each national parliamentary scrutiny procedure is measured against the 2018 proposal for a Regulation for an EDF. The chapter ends with a comparative summation that draws general conclusions about the strengths and weaknesses of the parliamentary scrutiny process at the national level.

4.1 National parliaments

Austria – Nationalrat

Austria has been supportive of the EU's latest initiatives in security and defence, and developments such as the EDF and PESCO are seen as important steps to enhancing EU security and defence cooperation in Vienna. Austria has generally viewed the EDF as a mechanism to ensure European coherence on capability development, increase EU strategic autonomy and to support innovation in the country and between EU partners (Jaklin, 2018). It should be noted that Austria's approach to EU defence cooperation and the EDF is conditioned by the country's neutrality and non-membership of NATO.

From a parliamentary perspective, both the lower and upper houses in the Austrian parliament have played an effective role in scrutinising the Fund. Although no specific questions on the EDF have been tabled in the parliament during plenary meetings, numerous parliamentary committees have debated the Fund and its potential impact including: the Committee on Economic Affairs, Industry and Energy; the Finance Committee and the Committee of Legislative Review. As has been confirmed by the IPEX database (2019), Austria has fully scrutinised the proposal for an EU regulation on the EDF.

It should be noted that the case of Austria's parliamentary scrutiny of the EDF is particularly important because the country held the Presidency of the Council of the EU from July – December 2018. In this role, the Austrian government had the duty of attaining agreement on the EDIDP regulation and advancing the proposed regulation on the EDF. Although the Federal Government was mainly responsible for this work, there was also a parliamentary dimension. Indeed, under the Austrian Presidency the COSAC meeting of 8-9 July 2018 in Vienna served as an opportunity to discuss the EDF - even if parliamentarians had many other policy issues to discuss in a two-day space of time (Austrian Parliament, 2018a). Other

interparliamentary meetings did not, however, seize the opportunity to fully scrutinise the Fund. For example, between 11-12 October 2018 Austria hosted the Interparliamentary Conference for the CFSP/CSDP (CFSP-IPC) in Vienna and the EDF was not specifically discussed (Austrian Parliament, 2018b). A second COSAC meeting was held in Vienna on 18-20 November 2018, but it did not specifically discuss the EDF or CSDP-relevant issues either (Austrian Parliament, 2018c).

Belgium – Kamer van Volksvertegenwoordigers / Chambre des Représentants

Belgium has been supportive of the EDF and it has looked positively on recent EU security and defence initiatives such as PESCO and the MPCC. In particular, the EDF is viewed as a way to enhance European cooperation on defence capability development and defence research (Biscop, 2018). Belgium has an economically important defence sector that relies on functioning supply chains across Europe and further afield (Mampaey, 2018).

The IPEX database (2019) shows that Belgium has already fully scrutinised the proposed regulation on the EDF. Parliamentary debate in the lower house has given room for discussions about the EDF – especially in the permanent committee on national defence. For example, in July 2018 the lower house secured a resolution on EU defence integration in which it specified the importance of the EDF (Belgian Parliament, 2018a). A second report in 2018 by the parliament reiterated the importance of the EDF in light of shifting transatlantic relations (Belgian Parliament, 2018b). Parliamentary questions have also been posed in the lower house focusing on how the EDF would interact with Belgian defence planning and Brussels' strategic vision on defence (see for example Belgian Parliament, 2017a and 2017b). In particular, Belgian parliamentarians have engaged with scrutiny of the EDF and how it could affect Belgian industry and defence planning (Belgian Parliament, 2017c). In one report, the lower house laments the fact that national parliaments and the European Parliament are not involved in the elaboration of EDF programmes (Belgian Parliament, 2017d: p. 9).

Bulgaria – Народно събрание

Bulgaria has been supportive of the EDF and it played a key role in attaining provisional agreement on the EDIDP on 22 May during its Presidency of the Council of the EU, held from January – June 2018. In particular, Bulgaria worked hard to ensure that the EDIDP regulation would provide clarity on eligible entities and actions and to incentivise the participation of SMEs (Bulgarian Government, 2018a). This is especially important to Bulgaria given its concentration of SMEs on product areas such as ammunition, armour and surveillance technologies (Bulgarian Defence Industry Association, 2018).

According to the IPEX database (2019), it is not clear at what stage parliamentary scrutiny of the EDF stands in Bulgaria. It is not evident to what extent the EDF has been debated in the main parliamentary committees, including: the committee on foreign affairs, the committee on defence and the committee on European affairs and oversight of the European funds.

Benefitting from the Presidency, Bulgaria presided over a COSAC Presidential Troika meeting with Estonia and Austria on 21 January 2018 and this was followed by a COSAC meeting on 22 January in Sofia. It should be noted that neither COSAC meetings focused specifically on the EDF or indeed on EU security and defence (Bulgarian Government, 2018b). However, on 17 February 2018, Bulgaria played host to a CFSP-IPC in Sofia. This meeting allowed for a more focused discussion on the EDF and Bulgarian government representatives yet again reiterated that the Fund should lead to opportunities for SMEs (Belgian Parliament, 2018).

Croatia – Hrvatski sabor

According to the IPEX database (2019), Croatia has not fully completed its scrutiny process of the EDF regulation. In March 2018, however, the Croatia parliament's committees on foreign policy and

defence held a session on PESCO and related EU security and defence initiatives such as the EDF (Croatian Parliament, 2018a). This joint session of the two committees was organised so that the Croatian Defence Minister could present the latest developments on PESCO and the EDF. The joint parliamentary session saw parliamentarians ask the defence minister whether the Fund would lead to the militarisation of Croatian society, and other parliamentarians stressed that PESCO and the EDF would be an effective way of building EU defence between Western and Eastern Member States (Croatian Parliament, 2018b). Furthermore, on 13 April 2018 Vice-President of the European Commission, Jyrki Katainen, visited Zagreb for a discussion with parliamentarians from the committees for European affairs, finance and budget, economy and defence. Vice-President Katainen was at the parliament to discuss the European Fund for Strategic Investments (EFSI) and the EDF (Croatian Parliament, 2018c).

Cyprus – Βουλή των Αντιπροσώπων

Cyprus does not appear to have finalised its parliamentary scrutiny of the EDF regulation (IPEX, 2019), even though it has been an enthusiastic supporter of recent EU security and defence initiatives. Despite the 'absence of credible large national companies to lead on capability projects', Cyprus partly still hopes that SMEs may benefit from the EDF and that the country could at least 'have the opportunity to learn from other participating Member States and thus enhance its own capacity' (Efsthathiou, 2019: pp. 7 and 8). Cyprus' support for the EDF was further publicly announced following the visit by Vice-President of the European Commission, Jyrki Katainen, on 28 January 2019. Parliamentarians from Cyprus have engaged in debate in interparliamentary settings too, and during the CFSP-IPC held in Estonia on 1 November 2017 the representative from Cyprus made clear her reservations about the EDF (Cypriot Parliament, 2017). In the Cypriot Parliament the Committee on Foreign and European Affairs takes the lead on EU security and defence related matters.

Czech Republic – Poslanecká sněmovna

The IPEX database (2019) shows that the Czech Republic has already fully scrutinised the regulation on the EDF, and there is evidence to suggest that the Czech Parliament has undertaken an extensive review of the Fund through the committees on European affairs and budgets. On 13 September 2018, the Czech Parliament agreed to the MFF package presented by the European Commission and the EDF was seen as an important element of the overall package (Czech Parliament, 2018). Additionally, the Czech Parliament's scrutiny of the EDF was supported by an analysis conducted by the Czech Parliamentary Institute. This analysis makes plain the European Commission's objectives and it sets out the Czech Government's position on the EDF. With the support of the Parliament, the Czech Government supports the Fund and wants to ensure that it benefits Czech industry and SMEs, while not subsidising third states and avoiding duplication with existing Czech defence capability developments (Kuta, 2018: p. 5).

Denmark – Folketing

Any assessment of the Danish Parliament's scrutiny of the EDF must take into consideration the country's opt-out from CSDP-related matters. Along with Malta and the UK, Denmark is not a part of PESCO, although it is fully eligible for EDF funding. This is seen in Copenhagen as a way to enhance Denmark's contribution to EU security and defence (see for example Cold-Ravnkilde, Nissen and Fejerskov, 2018). Therefore, it is not in Denmark's interests to have EDF funding dependent on entry and/or involvement in PESCO (Danish Parliament, 2017). According to the IPEX database (2019), it is not clear at what stage parliamentary scrutiny of the EDF stands in Denmark. Nevertheless, the Danish Parliament's defence committee has organised a number of debates on the EDF including a public hearing on the Fund with the University of Aalborg on 9 October 2018. The meeting was not only designed to raise public awareness, but to investigate to what extent the EDF could support Danish companies too (Danish Parliament, 2018).

Figure 5 – Principal parliamentary committees involved in scrutinising the EDF

Country	Principal Committee			
	European Affairs	Defence	Foreign Affairs	Other
Austria				X
Belgium		X		
Bulgaria	X	X	X	
Croatia		X	X	X
Cyprus	X		X	
Czech Republic	X			X
Denmark		X		
Estonia		X		
Finland		X	X	
France		X		
Germany		X		
Greece		X	X	
Hungary	X	X		
Ireland	X		X	
Italy		X		X
Latvia	X		X	
Lithuania	X		X	
Luxembourg	X		X	
Malta	X		X	
Netherlands		X		
Poland	X			
Portugal	X	X		
Romania	X	X		
Slovakia		X	X	
Slovenia	X			
Spain	X			
Sweden	X	X	X	
United Kingdom	X			

Estonia – Riigikogu

Estonia has been an enthusiastic supporter of the EDF, although it has stressed that the interests of larger and smaller states must be balanced (Lawrence, Praks and Järvenpää, 2017: p. 10). The IPEX database (2019) indicates that the Estonian Parliament has partially scrutinised the EDF Regulation. In fact, on 19 October 2018 Estonian parliamentarians were invited to provide their feedback and scrutiny of the EDF proposal (Estonian Parliament, 2018a). Furthermore, the Estonian Parliament's National Defence Committee has also taken the initiative of enhancing interparliamentary cooperation with their counterparts in the Finnish Parliament. This form of cooperation has occurred since 1993, but, on 9 November 2018, a joint meeting of the parliamentary committees focused on EU security and defence. During their meeting they discussed practical cooperation on armoured capability and air combat, and each committee highlighted the importance of using the EDF for investments in the region (Estonian Parliament, 2018b).

Finland – Eduskunta

Finland has only partially scrutinised the EDF regulation (IPEX, 2019), but Finnish parliamentarians have had the opportunity to scrutinise the Fund. First, it should be noted that the Finnish Government have kept the Parliament abreast of EDF developments and that government presentations to Parliament have taken place (Finnish Parliament, 2018a). Overall, Finland views the EDF positively and it sees joint financing as a way to meet the objectives of the CSDP (Tiilikainen, 2016: p. 7), especially given that the country does not belong to a military alliance (Salonius-Pasternak, 2018: p. 6). The defence committee made clear that the 'defence fund will be able to increase the export potential of the domestic defence industry and strengthen the development of national military capabilities' (Finnish Parliament, 2018b). Furthermore, the foreign affairs committee has stressed the importance of ensuring that the EDF does not lead to market distortions and it has also called for open access to close partners such as Norway (Finnish Parliament, 2018c). There appears to be wide support for the Fund in the committees for defence and foreign affairs and the Grand Committee (Finnish Parliament, 2018d). It should also be noted that the Finnish Parliament has witnessed dissent against the EDF too, with left-leaning parties and alliances labelling the Fund a way to militarise the EU.

France – Assemblée nationale

France is positive about the role that the EDF can play in developing European military capabilities, supporting the European defence industry and enhancing the EU's strategic autonomy (see Kempin and Kunz, 2017: p. 17 ; Maulny, 2018). Given France's large defence industry, it should be no surprise to learn that the French Parliament has been home to a number of debates on the EDF. In fact, EU security and defence is a regular focus of parliamentary questions in relevant committees. Overall, it is clear that the French Parliament is home to a number of parliamentarians that have extensive knowledge of defence and defence industrial matters.

Therefore, although France has not yet finalised its parliamentary scrutiny of the EDF Regulation (IPEX, 2019) there is evidence of robust debate in the National Assembly on the Fund. For example, a parliamentary report was presented by the Committee on National Defence and the Armed Forces on 12 February 2019. The document details a number of concerns that the National Assembly has with the EDF. Even though media reports pointed to a near empty Assembly (Mielcarek, 2019), the report stated that the EDF should not become a subsidy for multiple EU defence projects at the expense of overall efficiency (French Parliament, 2018). The parliamentary report also states that the interests of Member States may lead to project duplication, with some states eager to continue cooperation with the US outside of the Fund (French Parliament, 2018).

Germany – Bundestag

Germany has fully scrutinised the regulation on the EDF (IPEX, 2019) and scrutiny ended on 24 September 2018 (German Parliament, 2018a). This process reflects Germany's engrained and extensive scrutiny of EU security and defence matters. For example, the German Parliament is one of the few parliaments in the EU to have established a special group of rapporteurs on PESCO in the Committee on Defence. However, the special task force dealing with the EDF is located in the Ministry of Defence rather than the German Parliament (Major and Mölling, 2019: p. 12). This said, the German Parliament has been home to increasing attention by parliamentarians towards the Fund. This can be seen by the level of analysis offered by the German Parliament on the Fund, which includes a range of information notes and analysis papers that offer parliamentarians a clear overview of the EDF and its objectives (German Parliament, 2017: p. 4). Not only have parliamentarians asked a multitude of questions on the EDF, but there have been open hearings with important stakeholders such as the European Commission and German industry (German Parliament,

2018b). Unlike many other parliaments in Europe, there have also been questions on the Fund in parliamentary plenary sessions too (German Parliament, 2018c).

Greece – Βουλή των Ελλήνων

The Greek parliament has not yet finalised its parliamentary scrutiny of the EDF regulation (IPEX, 2019), but there is evidence of parliament debate on the Fund in the Committee on National Defence and Foreign Affairs. On the 23 May 2018, the Greek Government had to respond to a parliamentary question on the objectives of the EDF and how it would benefit Greece (Greek Parliament, 2018). The response by the Government appears to be a standard reply that reiterates the main objectives of the EDF, as stated in the proposal for a Regulation on the Fund – i.e. industrial efficiency, industrial competitiveness and enhanced EU security and defence (Greek Parliament, 2018). Overall, the Greek Government and Greek Parliament are both committed to ensuring that Greek SMEs can benefit from the Fund. The Parliament therefore sees a coherent connection between the EDF and PESCO as an integral way for the EU to develop defence capabilities (Efstathiou, 2018: p. 3).

Hungary – Országgyűlés

The Hungarian Parliament has not yet finalised its parliamentary scrutiny of the EDF Regulation (IPEX, 2019) and this report could find no evidence of widespread debate between parliamentarians except for in the European Affairs Committee and Defence and National Security Committee. However, the Hungarian Government is positive about the Fund and it sees it as a way to increase the EU's hard power and to ensure that the Visegrad group of countries is able to undertake crisis management tasks through the EU when needed (Hungarian Government, 2017; Hungarian Government, 2018).

Ireland – Dáil Éireann

The IPEX database (2019) shows that Irish parliamentary houses have already fully scrutinised the proposed regulation on the EDF. The Dáil finalised its scrutiny of the EDF regulation proposal on 20 September 2018 (Irish Parliament, 2018). Ireland's approach towards the EDF should be seen in light of its broader foreign policy, which, under its constitution, is guided by neutrality. In this regard, there is vigorous debate in the lower house. These debates include some politically sensitive issues such as whether Ireland's contributions to the MFF might be used to finance defence companies and the development of military systems for use outside of a United Nations (UN) mandate (Irish Parliament, 2016). Other parliamentary questions in the Committee on European Union Affairs and the Committee on Foreign Affairs and Trade, and Defence focused on whether the Irish Government was doing enough to support Irish SMEs in order to secure funding from the EDF (Irish Parliament, 2016 and 2017).

Italy – Camera dei deputati

The Italian Parliament are positive about the EDF (Marrone, 2018: p. 5). The IPEX database (2019) shows that the Italian Parliament has already fully scrutinised the proposed regulation on the EDF. Overall, the EDF has been extensively debated in the Committee for Defence and government officials have been keen to stimulate debate in the parliament, although there is less evidence of wider debate in other relevant committees. Joint sessions of the Committee for Defence and the Committee of Production and Labour have also organised meetings with industrial representatives and the government's chief military advisor (Italian Parliament, 2018). This process has been supported by a range of hearings and debates in the Committee for Defence on Italian defence procurement, which inevitably touched upon European defence cooperation and the EDF. On the 24 January 2019, the Committee for Defence held a hearing on defence system procurement, planning and perspectives on technological research, production and investments (Italian Parliament, 2019). Furthermore, it should be noted that the Italian Parliament and the Italian

Ministry of Foreign Affairs jointly commissioned a study in 2018 focusing on recent developments in EU security and defence (Marrone and Sartori, 2019).

Latvia – Saeima

Latvia does not appear to have finalised its parliamentary scrutiny of the EDF regulation (IPEX, 2019), but on 10 November 2017 parliamentarians from the European Affairs Committee expressed their support for the establishment of the EDF (Latvian Parliament, 2017). The Committee pointed out that the Fund may be a key way for Latvia's SMEs to engage in capability projects and to form part of European defence supply chains. To drive this point home in the Parliament, industrialists were also invited to the European Affairs Committee to show how the EDF could support Latvian entrepreneurs in the defence sector (Latvian Parliament, 2017). Overall, the Latvian Parliament believes that the Fund could be an effective way of enhancing EU security and defence and of allowing Latvian defence SMEs to accumulate experience working with larger companies in Europe (Latvian Parliament, 2017). More recent debates in the Parliament have only reiterated this position (Latvijas Vestnesis, 2018).

Lithuania – Seimas

The Lithuanian Parliament have partially scrutinised the EDF regulation (IPEX, 2019), but the Parliament has been kept abreast of developments on the EDF. The Committees on European Affairs and Foreign Affairs have closely followed the creation of the Fund and PESCO (Lithuanian Parliament, 2017a). It is noteworthy that the Lithuanian Parliament has also engaged in interparliamentary dialogue with other European parliaments. For example, from 26-28 November 2017, a delegation from the Lithuanian Parliament took part in a COSAC meeting organised under the Estonian Presidency of the Council of the EU (July – December 2017). The COSAC meeting in Tallinn focused on EU security and defence and Lithuanian parliamentarians made the case for a strategic approach to the CSDP, including a focus on the Fund (Lithuanian Parliament 2017b). However, despite parliamentary debate, there continues to be a lack of clarity over how the EDF could support national defence capability development in Lithuania (Seselgyte, 2018: p. 5).

Luxembourg – Chambre des députés

The IPEX database (2019) shows that Luxembourg has already fully scrutinised the proposed regulation on the EDF. Luxembourg is an enthusiastic supporter of the EU's latest initiatives in security and defence and it sees the EDF as a way to stimulate innovation and allow economies of scale in defence research and industrial development (Luxembourg Government, 2017a: p. 11). Additionally, it sees Benelux cooperation as an ideal test bed for the EDF (Luxembourg Government, 2017b: p. 19). In December 2016, the Luxembourg Parliament's Committee on Foreign and European Affairs, Cooperation, Immigration and Asylum held a debate with the Minister of Defence and the main topic of debate was the European Defence Action Plan (EDAP) (EuropaForum, 2016). Overall, the Parliament welcomed the introduction of European finances for defence capability development and defence research.

Malta – Parlament ta' Malta

Despite being a neutral state and not part of PESCO, Malta has contributed to CSDP missions and operations. Although certain components of the EDF may benefit Malta's high-tech services and research industry (i.e. the research window), the Fund is mainly seen as a way to enhance European solidarity on security and defence. As was stated during a CFSP-IPC held on 26-28 April 2017 in Malta as part of the country's Presidency of the Council of the EU, the conference parties understand 'that using EU funds to increase defence cooperation is a clear expression of the EU's solidarity and willingness to stand together on defence' (Inter-Parliamentary Conference, 2017: p. 6). As far as parliamentary scrutiny of the EDF is concerned, the standing committee on foreign and European affairs had already studied the EDF under

the work of the 12th legislature (2013-2017) with the objective of ensuring subsidiarity and proportionality (Maltese Parliament, 2017: p. 98). The IPEX database (2019) indicates that the Maltese Parliament have only partially scrutinised the EDF Regulation. Scrutiny of defence-relevant proposals and legislation occurs in this standing committee rather than in the standing committees for economic and financial affairs. This may appear to be at odds with the legal basis of the proposed EDF Regulation, but it should be noted that all aspects of managing EU funds is centralised in the hands of either one ministry or parliamentary committee in the Maltese system.

Netherlands – Tweede Kamer

The Netherlands was proactively involved in the development of the EDF and other initiatives such as PESCO. The Dutch Presidency of the Council of the EU from January to June 2016 gave The Netherlands an opportunity to influence the shape of the Fund (Zandee, 2018: p. 2). The Dutch Government has also made a strong case in front of the Dutch Parliament in favour of the EDF and PESCO (Zandee, 2018: p. 3). The Dutch Parliament does not appear to have finalised its parliamentary scrutiny of the EDF Regulation (IPEX, 2019), but the Parliament has engaged in debate over the Fund. For The Netherlands, parliamentary discussions on the EDF have focused more broadly on the negotiations for the MFF. While The Hague supports EU security and defence efforts, it is keen to ensure budgetary discipline for the MFF – especially in light of Brexit and the budget decreases this may lead to (Dutch Parliament, 2017: p. 7). Dutch parliamentarians in the Committee on Defence have also directly sent questions on the EDF to the Dutch Minister of Defence (see for example Dutch Parliament, 2018). The Committee on Defence sent a further set of questions to the Minister of Defence on 15 January in relation to the new Dutch Defence Industrial Strategy and the way the EDF could support it (Dutch Parliament, 2019).

Poland – Sejm

The Polish Parliament have partially scrutinised the EDF regulation (IPEX, 2019), but there has been extensive scrutiny of the Fund through parliamentary questions, information notes and opinion reports (Polish Parliament, 2017a). In particular, the EU Affairs Committee have centred some of its debate on Poland's relationship with EU security and defence initiatives. Parliamentarians in Poland welcome the Fund from an industrial perspective (Polish Parliament, 2018), but most voices call for no duplication with NATO and they urge their government to be clearer about the military capabilities that Poland should develop under the EDF (Polish Parliament, 2017b). The Polish Government has engaged with the Polish Parliament on questions related to the EDF and it has allayed fears that the EDF and PESCO may duplicate or discriminate against NATO (Polish Parliament, 2018). Overall, Poland sees the EDF and other initiatives such as PESCO as a way to potentially enhance Poland's own national defence industrial and technology policy (Terlikowski, 2017a, 2017b and 2018).

Figure 6 – National parliamentary scrutiny of the EDF (as of February 2019)

	Current legislature¹¹	Parliament type	Scrutiny not reported	Partial scrutiny	Fully scrutiny
Austria	2017- *	Bicameral			
Belgium	2014-	Bicameral			
Bulgaria	2017-	Unicameral			
Croatia	2016-	Unicameral			
Cyprus	2016-	Unicameral			
Czech Republic	2017- *	Bicameral			
Denmark	2015-	Unicameral			
Estonia	2015-	Unicameral			
Finland	2015-	Unicameral			
France	2017-	Bicameral			
Germany	2017- *	Bicameral			
Greece	2015-	Unicameral			
Hungary	2018-	Unicameral			
Ireland	2016- *	Bicameral			
Italy	2018-	Bicameral			
Latvia	2018-	Unicameral			
Lithuania	2016-	Unicameral			
Luxembourg	2018-	Unicameral			
Malta	2017-	Unicameral			
Netherlands	2017-	Bicameral			
Poland	2015- *	Bicameral			
Portugal	2015-	Unicameral			
Romania	2016-	Bicameral			
Slovakia	2016-	Unicameral			
Slovenia	2018-	Bicameral			
Spain	2016-	Bicameral			
Sweden	2018-	Unicameral			
United Kingdom	2018-	Bicameral			

¹¹ An asterisk refers to the dates for the lower house only.

Portugal – Assembleia da República

The Portuguese Parliament has not yet finalised its parliamentary scrutiny of the EDF Regulation (IPEX, 2019), although there is evidence of parliamentary debate on the Fund. For example, the Committee on National Defence already provided a draft opinion on the Regulation on the EDIDP during the summer of 2017 (Portuguese Parliament, 2017a). However, it is the Committee on European Affairs that has taken the lead on EU security and defence matters and it has done so by organising a number of hearings on the CSDP and PESCO. Additionally, the Working Group on European Scrutiny within the Committee has produced a report on Portugal's relationship to PESCO (Portuguese Parliament, 2018a). While generally favourable towards the EDIDP and EDF, Portuguese members of parliament have expressed concern that the Fund would damage the principle of subsidiarity and the Member States' control over defence issues (Portuguese Parliament, 2017b). Furthermore, individual parties have tabled resolutions on the need for Portugal to either engage with PESCO and the EDF (Socialist Party, 2017; Portuguese Parliament, 2018b) or to completely reject the initiatives (Communist Party, 2018). Interestingly, there does not seem to have been much linkage between the EDF and Portuguese defence planning, which is especially intriguing given that the Committee on National Defence debated the Portuguese Military Programming Law (LPM) throughout 2018 (Portuguese Council of Ministers, 2018). Overall, Portugal appears in favour of initiatives that could enhance EU security and defence, although it stresses the need for EU-NATO complementarity.

Romania – Camera Deputaţilor

The Romanian Parliament has already fully scrutinised the proposed regulation on the EDF (IPEX, 2019), and there is evidence of parliamentarians having debated the proposal for the Regulation on the EDF. There is also evidence that parliamentarians had the information required to properly scrutinise the Fund (Romanian Parliament, 2018a). The Chamber of Deputies has also provided clear instructions to the Romanian Government on what the parliament's wishes are with regard to the EDF. For example, on 13 November 2017 the Committee on European Affairs agreed that the EDF was needed to ensure greater strategic autonomy for the EU, albeit in full complementarity with NATO (Romanian Parliament, 2017: p. 2). On 23 October 2018, the Chamber of Deputies went further in outlining a host of conditions that should be pursued by the Romanian Government with respect to the proposed Regulation on the EDF. In particular, the Committees on Defence, Public Order and National Security and European Affairs called for greater symbiosis between Romania's civil and defence research communities, enhanced linkages with space programmes and to ensure that Romania's SMEs and research communities are eventually involved in EDF programmes (Romanian Parliament, 2018b and 2018c).

At the time of writing, Romania holds the Presidency of the Council of the EU (from January – June 2019), and attaining full agreement between the Council, Parliament and Commission triad is a key aspect of the Presidency's work on EU security and defence (EU Institute for Security Studies, 2018: p. 2).

Slovakia – Narodna rada

The IPEX database (2019) indicates that the Slovakian Parliament has only partially scrutinised the EDF Regulation. There is limited available evidence of widespread debate on the EDF in the Slovak national assembly except for in specialist committees such as defence and foreign affairs. Debates in the Slovak Parliament have nevertheless focused on the role that PESCO and EDF can play in ensuring Slovakia meets its ambitions in EU defence cooperation and NATO. Parliamentary debates have sought to connect discussions of the EDF to Slovakia's Presidency of the Visegrad Group (V4) (from 1 July 2018 to 30 June 2019), and individual parliamentarians have called for the EDF to be used to support V4 efforts to build defence capacities and innovation (Slovak Parliament, 2018). More generally, the EDF is also seen as a way to reduce Slovakia's dependency on Russian-made military equipment (GLOBSEC/New Pact for Europe, 2017: p. 7). It should be acknowledged that Slovakia held the Presidency of the Council of the EU in the

second half of 2016 (Bilčik, 2017), and with this position it was keen to push forward EU security and defence cooperation, even if PESCO and the EDF had not been fully elaborated at this stage.

Slovenia – Državni zbor

The National Assembly of Slovenia has not yet finalised its parliamentary scrutiny of the EDF regulation (IPEX, 2019), although its parliamentarians have debated the Fund in the European Union Affairs Committee during its 2018 sessions (Slovenian Parliament, 2018). Debates in the National Assembly have generally focused on the complementarity between the EDF and PESCO. For example, during a parliamentary exchange with government officials on 16 November 2018, Slovenian parliamentarians asked whether financing from the EDF could be used to supplement Slovenia's financing of PESCO projects (Slovenian Parliament, 2018). Furthermore, parliamentary debates have also focused on how the EDF could be used to support Slovenia's defence industry, especially in key sectors such as ammunition, advanced battlefield management systems, armour, border control systems, remotely piloted aircraft systems (RPAS), explosive, CBRN reconnaissance systems (Slovenian Defence Industry Cluster, 2017: p. 3).

Spain – Congreso de los Diputados

The Spanish Parliament has already fully scrutinised the proposed regulation on the EDF (IPEX, 2019), although there is evidence suggesting that parliamentary debates on defence matters are not always as in-depth as they perhaps could be. This is not to say that the Spanish Parliament has failed to debate the EDF. Instead, the proposal for a Regulation on the EDF has passed through parliament in a formal and procedural manner. For example, on 20 September 2018 the Committee on the European Union was presented an overview of the EDF and its objectives by government ministers, but there was no subsequent in-depth discussion with parliamentarians (Spanish Parliament, 2018a and 2018b). Similar presentations and overviews took place on 13 December 2017 and 20 March 2018 (Spanish Parliament, 2017 and 2018c).

It appears as though in Spain political scrutiny of the EDF has occurred predominantly at the government level. Indeed, neither the Spanish Secretary General for Defence Policy nor the Director General for Defence Policy are formally accountable to the Committee on Defence of the Committee on the EU in the parliament. Only the Minister, Secretary of State and/or the Chief of Defence Staff are accountable and this perhaps explains why these individuals have visited the parliament to present updates on the EDF (Spanish Parliament, 2018c). Furthermore, it is the norm for defence acquisitions and industrial matters to not gain too much attention in the Spanish Parliament beyond the scrutiny of budgetary figures. In Spain, matters related to security and defence are managed in an interministerial fashion that brings together key branches of government (Arteaga and Simón, 2019: p. 25).

Sweden - Riksdag

Although Sweden has only partially scrutinised the EDF regulation (IPEX, 2019), the Swedish Parliament has engaged in an extensive and robust discussion of the Fund. This should not be surprising given the country's defence industrial interests and Stockholm's initial questions about various EU defence industrial initiatives (Wieslander, 2018). In particular, the Foreign Affairs Committee began its deliberation on the EDF in 2017 and the cross-parliamentary consensus was that the Fund was to be welcomed in strengthening EU defence cooperation, although Sweden's industrial interests should be secured (Swedish Parliament, 2017a). The Swedish parliamentary debate has also focused on how the EDF might feed into and support PESCO, and a joint sitting of the foreign affairs and defence committees expressed the desire to ensure that EDF and PESCO funding does not lead to financial duplication when projects are launched in each initiative (Swedish Parliament, 2017b). A meeting of the Defence Committee on 26 October 2017 echoed this position when it stated that Sweden should 'promote an efficient and restrained budgetary position in the

EU', even though the country 'should be a driving force in developing defence capabilities' (Swedish Parliament, 2017c).

United Kingdom – House of Commons

Although the UK is set to leave the EU on 29 March 2019, this has not stopped rigorous debate on the Fund in the House of Commons. Even though the IPEX database (2019) indicates that the UK Parliament has partially scrutinised the EDF Regulation, much of the parliamentary debate on the EDF has focused on the costs to British industry post-Brexit and/or whether the UK can continue to participate in the EDF as a non-EU Member State (Institute for Government, 2018). Regarding the scrutiny of the proposed Regulation for an EDF, the Commons Select Committee on European Scrutiny has undertaken a preliminary assessment of the Fund (UK Parliament, 2018a). Indeed, at its meeting on 12 September 2018 the Select Committee decided that it should keep the EDF under scrutiny because of the 'uncertainty about the legal and financial conditions' for the UK's involvement after 29 March 2019 (UK Parliament, 2018a). Furthermore, the House of Commons has also benefitted from expert input on the EDF including briefing papers produced by the House of Commons library team on the future of European defence in a post-Brexit environment (Mills, 2018). In 2018, aiming at encouraging a broader parliamentary debate on the EDF, the Defence Committee called for a debate on the floor of the House on the UK's future defence and security relationship with the EU post-Brexit (UK Parliament, 2018b).

4.2 Summary

Having looked at the national parliaments of all 28 EU Member States, it is possible to sketch out some general conclusions about the state of play of national parliamentary scrutiny of the EDF. First, the obvious observation is that national parliaments exhibit different degrees of interest in the EDF. Not every parliament has organised in-depth discussions on the Fund and, in some cases, it is unclear to what degree national parliaments connected EU-level policy developments with national defence capability strategies. Most debates on the EDF occurred in specialised committees rather than in plenary sessions. Additionally, the degree to which national parliaments have scrutinised the EDF relates to their national defence industrial interests. EU Member States with sizeable defence industries expended much more time and energy scrutinising the Fund, but Member States with particular defence characteristics (i.e. non-alignment, neutrality, CSDP opt-outs) have also scrutinised the EDF to ensure compliance with national norms and objectives. Clearly, some of the main attributes of those parliaments that managed to conduct in-depth scrutiny are larger skills bases and financial resources. In this regard, some parliaments used a mixture of scrutiny methods ranging from the commissioning of studies to expert hearings.

Drawing on the academic literature mentioned in chapter two, there is evidence to suggest that in-house expertise in the parliamentary committees does not necessarily confer on parliaments greater scrutiny powers. In fact, based on the investigation above it is not at all clear whether national parliaments are interested in monitoring scrutiny or political scrutiny (or some measure of the two). The quality of parliamentary debates in some national parliaments is superficial and in some countries there does not appear to be a well-defined division of competencies between parliaments and government ministries. What can also be noted is that the vast majority of national parliaments are focused on national rather than EU interests. These interests range from maintaining strict adherence to constitutional principles to forwarding industrial interests such as the promotion of SMEs. Only in rare cases did national parliaments voluntarily cooperate with other parliaments to discuss possible joint capability development projects under the EDF. While it should be no surprise to learn that national parliaments advance national interests, the result is that there are questions about the degree to which national parliaments can be expected to advance EU-wide objectives. In some cases, national prerogatives may not automatically blend with EU objectives.

When one combines the observations of this chapter with those in chapter three, it is possible to ask how interparliamentary cooperation is supposed to function coherently when the European Parliament and national parliaments tend to employ different methods of scrutiny and advance myriad interests. While it is true that the European Parliament operates in a more information rich environment than national parliaments do when it comes to CSDP-related matters, this should not imply that national parliamentarians cannot uncover the necessary information if they so desired. Therefore, while one can always make a case for greater exchanges of information between the EU institutions and national parliaments, this does not seem to be the main hindrance to enhanced interparliamentary scrutiny of initiatives such as the EDF. Instead, one should perhaps think about improving the functioning of fora such as COSAC and the CFSP-IPC because, if national parliaments are largely interested in advancing national interests, then a much broader and more consistent strategic conversation with the European Parliament is required. Otherwise, a focus on meeting shared EU objectives on defence research and defence capability development through the EDF might not be understood by all parliaments and parliamentarians.

5. Conclusion

This study set out to better understand how the European Parliament and national parliaments can scrutinise the European Defence Fund. It has been shown that the **European Parliament's role in scrutinising CSDP-related issues is limited because it is an intergovernmental policy domain, even though it serves as co-legislator on the proposed Regulation for an EDF**. The EU treaties still do not afford the European Parliament a greater scrutiny role in CSDP, although national parliaments can monitor the actions of and decisions taken by national executives in the Council of the EU. In the absence of major treaty reform, there will continue to be limitations on the European Parliament's scrutiny role. Nevertheless, this study has highlighted that **the introduction of the EDF does afford the European Parliament an opportunity to enhance its scrutiny of EU decisions on defence research and defence capability development – not least because the Parliament is a co-legislator for the EDF**.

In particular, the evaluation processes referred to by the European Commission in the proposed Regulation for the Fund could offer the European Parliament a way of providing input on an annual basis and at the end of the EDF programme in 2027. This will ultimately depend on the final wording of the approved Regulation by the Council and the Parliament. The evaluation process embedded in the EDF could potentially ensure that the European Parliament and national parliaments can assess whether the Commission is meeting the stated objectives of the Fund. What this study has shown, however, is that scrutiny is only likely to occur once research and capability projects have been agreed on, especially considering that EU defence capability prioritisation is still an intergovernmental process managed by the EDA and the EUMS (at the EEAS).

Given that the EDF is not the only new EU security and defence initiative, this study has also looked at how supranational and intergovernmental institutions and policies come together. Here, it was explained that there is **currently little room for the European Parliament to influence defence research and defence capability priorities at the earliest stages of the EU defence planning process**. Indeed, important prioritisation vehicles such as CARD, the CDP and PESCO fall into the hands of the EDA, the Council of the EU and the EEAS rather than supranational institutions such as the European Parliament. The European Commission has made it clear that the CDP could inform its own prioritisation process under the EDF, and the aim is for the Fund to provide a 'PESCO Bonus' for capability projects launched under permanent structured cooperation. As it stands, therefore, **European Parliament scrutiny could feed in after EDF work programmes have been agreed and initiated**, although national parliaments could scrutinise

their own governments' decisions when it comes to capability development priorities. It is up to parliaments to decide whether they are comfortable with a scrutiny role that is only triggered in the later stages of the EDF work programmes.

Presently, it will be difficult for parliaments to play a role in the earlier stages of the defence capability prioritisation process. While this study does not advocate for reform of the CDP, the analysis has shown that there **exists a gap in the European Parliament's approach to thinking about defence capability development**. First, now that the EU is close to agreement on the EDF Regulation, the European Parliament could consider ways of better managing its scrutiny skills base. A number of parliamentary committees were involved in negotiating for and co-legislating on the proposal for an EDF Regulation, but **moving forward thought should be given to how the Parliament could optimally organise its scrutiny of the Fund**. As attention will now inevitably turn to defence capability prioritisation and output, the European Parliament should consider how best it can marshal its parliamentary expertise. In particular, there is a need to analyse what role the SEDE sub-Committee could and/or should play in leading to a coherent European Parliament position on EU defence capability development. Second, and relatedly, as yet the European Parliament has no clear plan of what defence capabilities should be advanced. Unlike the CDP, which lists a multitude of capabilities without necessarily considering the costs, the EDF is limited by the EUR 13 billion financial envelope. This means that there is greater pressure on the Commission to 'prioritise the priorities'. If the European Parliament believes that it should move beyond scrutiny at the evaluation stage of the Fund, the body **needs to have a much clearer idea about what capabilities should be developed for the benefit of the EU as a whole**.

If the European Parliament and national parliaments do have an opportunity to scrutinise the EDF, there is a **need to better understand what these parliaments mean by parliamentary scrutiny**. Drawing on academic literature, this study has argued that there are at least two forms of scrutiny: monitoring scrutiny and political scrutiny. In this regard, this study has revealed that it is not entirely clear what form of parliamentary scrutiny is being sought in relation to the Fund. In other words, there is a need to distinguish between those parliaments that are only interested in reducing the information asymmetry that exists between them and EU and national executives, and those that have an ambition to move beyond this in order to seek punitive measures when the EDF does not deliver on its stated objectives. In essence, the analysis in this study has shown that there are **different interpretations of the parliamentary scrutiny and it is clear that national parliaments view the Fund in different ways**. Some have heavy scrutiny procedures in place, whereas others adopt a light-touch approach. All of this means that the European Parliament and national parliaments need to think far more strategically about how they want to scrutinise the Fund, and this study has raised questions about the present efficacy of fora such as COSAC and CFSP-IPC. Instead of simply trying to increase awareness about the Fund, there is clearly room for more meaningful debate on how the EDF (and other initiatives such as PESCO) affects national defence priorities and can help lead to common European defence.

5.1 Recommendations

Based on the analysis of this study, it is possible to forward specific recommendations on how the scrutiny of the EDF by the European Parliament and national parliaments can be enhanced. This study makes the following recommendations:

The European Parliament should work with the European Commission and the Council to better understand what role it could have during the evaluation of the EDF work programme (both annually and at the end of the programme period in 2027), as specified by Article 32 of the proposed EDF Regulation (COM(2018) 476 final). It should also verify what role the European Parliament could have in 'the Committee' of the EDF pursuant to Article 28 of the Fund Regulation proposal. Structured

involvement in the EDF evaluation phase could allow the Parliament to make suggestions for future work programmes as well as ensure that the Fund is meeting its stated objectives. Much will depend on the final approved Regulation by the Council and the Parliament. To this end, the European Parliament should study the lessons learned from the EDIDP evaluation process and carry them forward for the EDF;

The European Parliament and national parliaments should engage in a more strategic understanding of the EDF, especially with regard to how the Fund relates to other initiatives such as PESCO and national defence priorities. Parliaments should continue to reduce information asymmetries on the Fund, but they might also reflect in more detail on defence capability prioritisation at the EU level. The COSAC and CFSP-IPC formats, while useful for formal exchanges between parliamentarians, have not been optimised for specifically scrutinising the Fund or building an interparliamentary consensus on EU defence research and defence capability prioritisation;

The European Parliament should optimise its skills base. Scrutiny of the EDF will increasingly involve the identification of defence capability priorities, technical specifications for standardisation, technology trends and forecasting, procurement and tendering processes, etc. This implies that parliamentary scrutiny of the EDF will require access to information but also a dedicated forum for debating EDF-related matters. To this end, the role of parliamentary committees should be examined with particular attention to the future role of the SEDE sub-Committee;

The European Parliament should think about the EU's defence capability priorities more in depth. Given that the European Commission will dedicate 5 % (or EUR 650 million) of the EDF to disruptive technologies – potentially including artificial intelligence, robotics and unmanned systems – the European Parliament should consider launching a debate and/or in-depth study on the role that disruptive technologies should play in CSDP from an ethical and military-strategic perspective.

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